



Department of Justice

FOR IMMEDIATE RELEASE
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**NEW JERSEY COMPUTER SOFTWARE CO. TO PAY \$2.97 MILLION CIVIL
PENALTY FOR FAILING TO PROVIDE DOCUMENTS REQUIRED FOR MERGER**

WASHINGTON, D.C. -- A northern New Jersey computer software and information services company agreed today to pay a \$2.97 million civil penalty to settle charges that the company failed to provide required documents to federal antitrust authorities before acquiring assets of a direct competitor.

At the request of the Federal Trade Commission, the Department of Justice's Antitrust Division filed a civil antitrust suit today against Automatic Data Processing Inc. of Roseland, New Jersey, for violating antitrust premerger reporting requirements when it acquired more than \$15 million of assets of another computer information services company, AutoInfo Inc. of Fair Lawn, New Jersey. At the same time, a proposed settlement was filed requiring Automatic Data Processing to pay a \$2.97 million civil penalty. This is the third highest civil penalty to date for violating antitrust premerger reporting requirements.

The suit and proposed settlement were filed in U.S. District Court in Washington, D.C. The proposed settlement, which must be approved by the court, would settle the suit with Automatic Data Processing Inc.

The Federal Trade Commission conducted the investigation in this matter and negotiated the settlement. Based upon the FTC's

investigation, the complaint alleges that Automatic Data Processing, in acquiring more than \$15 million of assets of AutoInfo Inc., failed to submit competitively-sensitive planning documents required under the Hart-Scott-Rodino Act.

Anne K. Bingaman, Assistant Attorney General in charge of the Antitrust Division, emphasized that, "This case should send a message, loud and clear, that the Department of Justice and the Federal Trade Commission will not tolerate companies failing to provide us with the information we need in order to do our job of protecting consumers from anticompetitive deals."

Earlier this year, in another case investigated by the FTC, Sara Lee Corp. paid a record \$3.1 million civil penalty for violating premerger reporting requirements.

In 1989, A&P paid a \$3 million civil penalty for a premerger reporting violation.

The Hart-Scott-Rodino Act of 1976 imposes notification and waiting period requirements on individuals and companies over a certain size before they consummate acquisitions of stock or assets over a certain value or ownership percentage.

The Act permits a federal court, upon the Department's request, to assess a civil penalty of up to \$10,000 for each day a person is in violation.

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